

1 Guido Saveri (Bar No. 22349)  
2 R. Alexander Saveri (Bar No. 173102)  
3 Geoffrey C. Rushing (Bar No. 126910)  
4 Cadio Zirpoli (Bar No. 179108)  
5 **SAVERI & SAVERI, INC.**  
6 706 Sansome Street  
7 San Francisco, California 94111  
8 Telephone: (415) 217-6810  
9 Facsimile: (415) 217-6813

10 *Interim Lead Counsel for the*  
11 *Direct Purchaser Plaintiffs*

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE: CRT ANTITRUST LITIGATION

Master File No. CV-07-5944-SC  
MDL No. 1917

This Document Relates to:

**CLASS ACTION**

ALL DIRECT PURCHASER CLASS  
ACTIONS

**DECLARATION OF DIANNE M. NAST  
IN SUPPORT OF MOTION FOR  
ATTORNEYS' FEES, REIMBURSEMENT  
OF EXPENSES, AND INCENTIVE  
AWARDS**

1 I, Dianne M. Nast, declare and state as follows:

2 1. I am the founder of the law firm of NastLaw LLC. I submit this declaration in  
3 support of Direct Purchaser Plaintiffs ("DPP") joint application for an award of attorney fees in  
4 connection with the services rendered in this litigation. I make this Declaration based on my  
5 personal knowledge and if called as a witness, I could and would competently testify to the  
6 matters stated herein.

7 2. In the beginning of this matter, the predecessor law firm, RodaNast, PC, employed  
8 the attorneys who worked on this case. In 2012, NastLaw LLC was formed, and most of the  
9 RodaNast, PC attorneys are and have been employed by NastLaw LLC since that time. RodaNast,  
10 P.C. is no longer operating. All time and expenses reported in this Declaration include NastLaw  
11 LLC and RodaNast, PC time, and are described as time and expenses of "this firm."

12 3. This firm has served as counsel to Radio & TV Equipment, Inc. and as counsel for  
13 the class throughout the course of this litigation. The background and experience of this firm and  
14 its attorneys are summarized in the *curriculum vitae* attached hereto as Exhibit 1.

15 4. This firm has prosecuted this litigation solely on a contingent-fee basis, and has  
16 been at risk that it would not receive any compensation for prosecuting claims against the  
17 defendants.

18 5. During the pendency of the litigation, this firm performed the following work:  
19 participated in numerous discussions and planning in connection with the formation of the MDL  
20 and related activities and sent and received multiple items of correspondence concerning ongoing  
21 litigation issues.

22 6. Attached hereto as Exhibit 2 is this firm's total hours and lodestar, computed at  
23 historical rates, from May 9, 2008 through July 31, 2014. This period reflects the time spent after  
24 the appointment of Lead Counsel in the litigation. The total number of hours spent by this firm  
25 during this period of time was 42.70 with a corresponding lodestar of \$11,294.00. This summary  
26 was prepared from contemporaneous, daily time records regularly prepared and maintained by this  
27 firm. The lodestar amount reflected in Exhibit 2 is for work assigned by Lead Class Counsel, and  
28

1 was performed by professional staff at this law firm for the benefit of the Direct Purchaser  
2 Plaintiff ("DPP") Class.

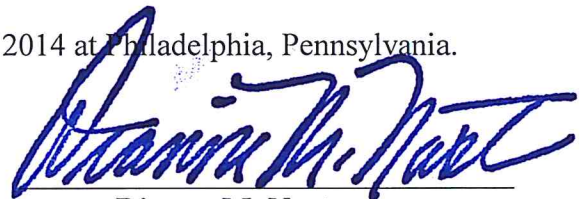
3 7. The hourly rates for the attorneys and professional support staff in this firm  
4 included in Exhibit 2 are the usual and customary hourly rates charged by this firm.

5 8. This firm has expended a total of \$259.98 in unreimbursed costs and expenses in  
6 connection with the prosecution of this litigation. These costs and expenses are broken down in  
7 the chart attached hereto as Exhibit 3. They were incurred on behalf of Direct Purchaser Plaintiffs  
8 by this firm on a contingent basis, and have not been reimbursed. The expenses incurred in this  
9 action are reflected on the books and records of this firm. These books and records are prepared  
10 from expense vouchers, check records and other source materials and represent an accurate  
11 recordation of the expenses incurred.

12 9. This firm paid a total of \$20,000.00 in assessments for the joint prosecution of the  
13 litigation against the defendants.

14 10. I have reviewed the time and expenses reported by this firm in this case which are  
15 included in this declaration, and I affirm that they are true and accurate.

16 I declare under penalty of perjury under the laws of the United States of America that the  
17 foregoing is true and correct. Executed on July 25, 2014 at Philadelphia, Pennsylvania.

18  
19 

20 **Dianne M. Nast**

# EXHIBIT 1



NastLaw LLC  
1101 Market Street  
Suite 2801  
Philadelphia, Pennsylvania 19107  
(215) 923-9300  
(215) 923-9302 (facsimile)  
[www.nastlaw.com](http://www.nastlaw.com)

### FIRM BIOGRAPHY

Led by Dianne M. Nast, NastLaw attorneys combine over 85 years of complex civil litigation experience. We provide our clients with experienced, confident representation to guide them in the most difficult cases.

Our Firm's focus is on complex civil litigation, including pharmaceutical litigation and antitrust litigation. Firm founder, Dianne Nast, brings decades of complex litigation experience to the firm. Ms. Nast is one of the most accomplished attorneys in the country and has been recognized by Courts across the country for her skill and leadership in complex litigation.

### ATTORNEYS

Dianne M. Nast is a *magna cum laude* graduate of Rutgers University School of Law. From 1976 to 1995, she was a shareholder with the Philadelphia law firm of Kohn, Nast & Graf, P.C. (now Kohn, Swift & Graf, P.C.) and then a senior shareholder at RodaNast, P.C. from 1995 to 2012.

Ms. Nast has been named by *Philadelphia Magazine* as one of Pennsylvania's top fifty women attorneys. *The National Law Journal* has selected Ms. Nast as one of the nation's top fifty women litigators.

Ms. Nast was appointed in 1998 by then Chief Justice William H. Rehnquist to a five-year term as Chair of the Board of Directors of the Federal Judicial Center Foundation. She served as a Director of the Federal Judicial Center Foundation for eleven years, from 1991 until 2002.

Judge Edward Becker, then Chief Judge of the United States Court of Appeals for the Third Circuit, appointed Ms. Nast to serve as a member of the fifteen-member Third Circuit Task Force on Selection of Class Counsel.

Ms. Nast chaired the Lawyers Advisory Committee for the United States Court of Appeals for the Third Circuit and on that Committee. She served on the Third Circuit's Committee on Revision of Judicial Conduct Rules of the Judicial Council and on the Judicial Conference Long Range Planning Committee.

Ms. Nast has served as Lawyer Chair of the Judicial Conference of the United States Court of Appeals for the Third Circuit. She is a member of the Historical Society of the Third Circuit, and chaired the Circuit's Centennial Celebration.

She was appointed by the late Chief Judge Alfred L. Luongo to Chair the Eastern District of Pennsylvania's Lawyers Advisory Committee, and served for four years in that position. She served for three years as President of The Historical Society for the United States District Court for the Eastern District of Pennsylvania .

She is a member of the American Bar Association Litigation Section, where she has served on the Task Force on State Justice Initiatives, the Task Force on the State of the Justice System and the Task Force on Strategic Planning. She served a three-year term on the Section's Council, served as a Section Division Director, and co-chaired the Section's Antitrust Committee. She served as a Delegate to the American Bar Association House of Delegates and the Pennsylvania Bar Association House of Delegates. She served as a member of the Philadelphia Bar Association Board of Governors. She is a member of the Public Justice Foundation.

Ms. Nast was selected by The American Law Institute to serve as an Adviser for the ALI's Principles of the Law of Aggregate Litigation Project.

She served six years as a Director on the Board of the Public Defender's Office of Philadelphia.

**Michele S. Burkholder** graduated with Distinction from the Pennsylvania State University with dual degrees in Journalism and Sociology, and received her Juris Doctorate, *cum laude*, from the Dickinson School of Law, and was a member of the Woolsack Honor Society. She was Vice-President of the International Law Society and a member of Amnesty International. Ms. Burkholder served as a law clerk to the Honorable Ronald E. Vican, President Judge of Monroe County, Pennsylvania.

Ms. Burkholder is court-appointed Plaintiffs' Liaison Counsel in *Darvocet, Darvon and Propoxyphene Products Liability Litigation*, MDL No. 2226 (E.D. Ky.).



**Daniel N. Gallucci** received his Bachelor of Arts in History from Gettysburg College and his Juris Doctorate from the Dickinson School of Law of the Pennsylvania State University, where he was a member of the Woolsack Honor Society and the National Trial Moot Court Team. He was Articles Editor of *The Dickinson Law Review* and received the Best Case Note Award in the 1996-97 Law Review Competition. He also received the Conrad A. and Rocco C. Falvello Memorial Award for Diligence and Progress and was named to the Order of Barristers for Excellence in Courtroom Advocacy.

He was a law clerk to the Honorable Michael A. Georgelis, President Judge of the Court of Common Pleas of Lancaster County.

Mr. Gallucci has tried jury cases involving medical malpractice and wrongful death, and won the third largest jury verdict in the history of Lancaster County, Pennsylvania. He was lead attorney in what is believed to be the largest settlement in United States history for prescription long-acting beta antagonists, one of the most frequently prescribed asthma drugs.

Mr. Gallucci is on the Science and Case Specific Committees in Zolof.

**Erin C. Burns** received her Bachelor of Arts from the University of Delaware and her Juris Doctorate from the Villanova University School of Law. She is a member of Psi Chi and served as a staff writer and Symposium Editor on *The Villanova Environmental Law Journal*.

Ms. Burns served as a law clerk to the Honorable Louis J. Farina, Lancaster County Court of Common Pleas and was an associate at RodaNast, P.C. from 2004 until 2012.

She served as the Vice-Chairperson of the Young Lawyers Section of the Lancaster Bar Association in 2004 and the Chairperson of that Section in 2005. Also in 2005, she sat on the Board of Directors of the Lancaster Bar Association. In March of 2005, Ms. Burns received the President's Award from the Lancaster Bar Association for development and implementation of a Habitat for Humanity community service day for the Young Lawyers Section.

She also served as a Leader of the Law Explorers Program through Learning for Life, a program for youth interested in careers in the law from 2004 through 2006.

She was recognized in Who's Who of American Women in 2006 and by Strathmore's Who's Who in 2007 and is a member of the National Association of Professional Women.

In 2012, Ms. Burns was a featured panelist for the *Legal Intelligencer's* first annual Litigation Summit, where she spoke about the taxation of costs under 28 U.S.C. §1920 for e-discovery expenses.

She is a member of the Law & Briefing Committee for *In re Zolof (Serataline Hydrochloride) Products Liability Litigation*, MDL No. 2342 (E.D. Pa.) and was part of the deposition team for *Shane Group, Inc., et al. v. Blue Cross Blue Shield of Michigan*, Case No. 2:10-cv-14360-DPH-MKM (E.D. Mich.). Ms. Burns served as one of three Mediation Counsel in *In re Skelaxin Antitrust Litigation*, MDL No. 2343 (E.D. Tenn.).

Joanne E. Matusko received her Bachelor of Science from Beaver College and her Juris Doctorate from the Widener University School of Law, was a member of the Moot Court team. She also holds an MBA degree from Lebanon Valley College and an Associate's degree in medical technology.

Ms. Matusko is also a member of the Clinical Laboratory Management Association and of the American Society of Clinical Pathologists.

She worked as Director of Laboratory Services at a local hospital and was an Adjunct Instructor of Laboratory Sciences at Thomas Jefferson University College of Allied Health Professions. She is currently an Adjunct Professor at Central Pennsylvania College and Harrisburg Area Community College teaching business, legal, and healthcare classes.

Ms. Matusko is on the Case Specific Committee in *Zolof (Serataline Hydrochloride) Products Liability Litigation*, MDL No. 2342 (E.D. Pa.).

#### CASES

NastLaw LLC has an extensive class action practice focusing on antitrust matters, in addition to its products liability and personal injury work. An exemplar listing of some of the class actions in which Ms. Nast has served as Lead Counsel or Executive Committee Member includes the following:

*Actos (Pioglitazone) Products Liability Litigation*, MDL No. 2299 (W.D. La.), before The Honorable Rebecca F. Doherty.



*Augmentin Antitrust Litigation (SAJ Distributors, Inc. and Stephen L. LaFrance Holdings, Inc. v. SmithKline Beecham Corp., d/b/a GlaxoSmithKline*, Civil Action No. 04-CV-23 (E.D. Va.)), before The Honorable Henry C. Morgan, Jr.

*Avandia Marketing, Sales Practices and Products Liability Litigation*, MDL No. 1871 (E.D. Pa.), before The Honorable Cynthia M. Rufe.

*Castano Tobacco Litigation*, Civil Action No. 94-1044 (E.D. La.), before The Honorable Okla Jones II.

*Chocolate Confectionery Antitrust Litigation*, MDL No. 1935 (M.D. Pa.), before The Honorable Christopher C. Conner.

*Children's' Ibuprofen Oral Suspension Antitrust Litigation*, Misc. No. 04mc0535 (D.D.C.), before The Honorable Ellen S. Huvelle.

*Darvocet, Darvon and Propoxyphene Products Liability Litigation*, MDL No. 2226 (E.D. Ky.), before The Honorable Danny C. Reeves.

*Diet Drug Product Liability Litigation*, MDL No. 1203 (E.D. Pa.), before The Honorable Harvey Bartle III.

*Effexor XR Antitrust Litigation*, Civil Action No. 11-5479 (D. N.J.), before The Honorable Peter J. Sheridan.

*Heparin Products Liability Litigation*, MDL No. 1953 (N.D. Ohio), before The Honorable James G. Carr.

*Hypodermics Products Antitrust Litigation*, MDL No. 1730 (D.N.J.), before The Honorable Jose L. Linares.

*Lipitor (Atorvastatin Calcium) Marketing, Sales Practices and Products Liability Litigation*, MDL No. 2502 (D. S.C.), before The Honorable Richard Mark Gergel.

*Medtronic, Inc. Implantable Defibrillators Products Liability Litigation*, MDL No. 1726 (D. Minn.), before The Honorable James M. Rosenbaum.

*Medtronic, Inc. Sprint Fidelis Leads Products Liability Litigation*, MDL No. 1905 (D. Minn.), before The Honorable Richard H. Kyle.

*Mirena IUD Products Liability Litigation*, MDL No. 2434 (S.D. N.Y.), before The Honorable Cathy Seibel.

*Modafinil Antitrust Litigation*, Civil Action No. 06-CV-1797, (E.D. Pa.), before The Honorable R. Barclay Surrick and, subsequently, The Honorable Mitchell S. Goldberg.

*National Football League Players' Concussion Injury Litigation*, MDL No. 2323 (E.D. Pa.), before The Honorable Anita B. Brody.

*Nifedipine Antitrust Litigation*, MDL No. 1515 (D.D.C.), before The Honorable Richard J. Leon.

*Ovcon Antitrust Litigation (SAJ Distributors, Inc., et al. v. Warner Chilcott Holdings Company III, Ltd., et al.)*, Civil Action No. 1:05cv02459 (D. D.C.), before The Honorable Colleen Kollar-Kotelly.

*Paxil Antitrust Litigation (Nichols, et al. v. SmithKline Beecham Corp.)*, Civil Action No. 00-6222 (E.D. Pa.), before The Honorable John R. Padova.

*Pelvic Repair Systems* (S.D. W.V.), before The Honorable Joseph R. Goodwin, including *Ethicon, Inc.* MDL No. 2327, *Boston Scientific Corp.*, MDL No. 2326 and *American Medical Systems, Inc.* MDL No. 2325.

*Serzone Products Liability Litigation*, MDL No. 1477 (S.D. W.Va.), before The Honorable Joseph R. Goodwin.

*Tylenol (Acetaminophen) Marketing, Sales Practices and Products Liability Litigation*, MDL No. 2436 (E.D. Pa.), before The Honorable Lawrence F. Stengel.

*Wellbutrin SR Antitrust Litigation (SAJ Distributors, Inc., et al. v. Smithkline Beecham Corp.)*, Civil Action No. 04-5525 (E.D. Pa.), before The Honorable Bruce W. Kauffman and, subsequently, The Honorable Lawrence F. Stengel.

*Wellbutrin XL Antitrust Litigation*, Civil Action No. 08-2431 (E.D. Pa.), before The Honorable Mary A. McLaughlin.

*Yasmin and Yaz (Drospirenone) Marketing, Sales Practices and Products Liability Litigation* MDL No. 2100 (S.D. Ill.), before The Honorable David R. Herndon.

*Yaz, Yasmin, Ocella Gianvi Product Liability Litigation*, September Term 2009, No. 1307 (Phila. C.C.P.), before The Honorable Sandra Mazer Moss.

*Zoloft (Sertraline Hydrochloride) Products Liability Litigation*, MDL No. 2342 (E.D. Pa.), before The Honorable Cynthia M. Rufe.

## EXHIBIT 2



In re Cathode Ray Tube (CRT) Antitrust Litigation  
NastLaw LLC  
Reported Hours and Lodestar  
May 9, 2008 through July 30, 2014

NAME	TOTAL HOURS	HOURLY RATE	LODESTAR
ATTORNEYS			
Dianne M. Nast (P)	.40	\$595	\$238.00
Dianne M. Nast (P)	2.10	\$625	\$1312.50
Dianne M. Nast (P)	3.90	\$650	\$2535.00
Dianne M. Nast (P)	1.70	\$675	\$1147.50
Jennifer S. Snyder (A)	.20	\$350	\$70.00
Jennifer S. Snyder (A)	.30	\$400	\$120.00
Jennifer S. Snyder (A)	.70	\$430	\$301.00
Jennifer S. Snyder (A)	.90	\$445	\$400.50
Jennifer S. Snyder (A)	.20	- \$460	\$92.00
NON-ATTORNEYS			
Kristina J. McVey (PL)	1.50	\$145	\$217.50
Kristina J. McVey (PL)	6.70	\$155	\$1038.50
Meredith E. Berrier (PL)	13.50	\$165	\$2227.50
Cathryn S. Roberts (PL)	2.80	\$145	\$406.00
Cathryn S. Roberts (PL)	6.90	\$150	\$1035.00
Cathryn S. Roberts (PL)	.90	\$170	\$153.00
<b>TOTAL:</b>	42.70		\$11,294.00

(P) Partner  
(OC) Of Counsel  
(A) Associate  
(PL) Paralegal  
(LC) Law Clerk

## EXHIBIT 3

In re Cathode Ray Tube (CRT) Antitrust Litigation  
 NASTLAW LLC  
 Reported Expenses Incurred on Behalf of DPPs

<b>CATEGORY</b>	<b>AMOUNT INCURRED</b>
Court Fees (filing, etc.)	
Experts/Consultants	
Federal Express	
Transcripts (Hearing, Deposition, etc.)	
Computer Research	253.73
Messenger Delivery	
Photocopies – In House	6.25
Photocopies – Outside	
Postage	
Service of Process	
Telephone/Telecopier	
Travel (Airfare, Ground Travel, Meals, Lodging, etc.)	
<b>TOTAL:</b>	<b>\$259.98</b>